## IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF GEORGIA ATLANTA DIVISION

:

DONNA CURLING, et al.,

:

Plaintiffs,

Defendants.

CIVIL ACTION NO.

1:17-cv-2989-AT

v. :

BRAD RAFFENSPERGER, et al.,

**ORDER** 

By prior Orders, the Court authorized a limited and secure inspection of the data and methods Dr. Halderman developed and used in conducting the proof-of-concept attacks discussed in the Halderman Report. (*See* Docs. 1745, 1749.) The Court ruled that two of Defendants' consulting experts and one attorney shall be permitted to conduct the inspection under strict protocols involving, among other measures, supervised access at a secure location on a password-protected laptop in a secure, non-networked, non-Internet accessible environment. The general protocols governing the inspection that the Court ruled shall apply are attached as Attachment A.<sup>1</sup>

The Court further ordered that the three reviewers must sign a confidentiality agreement, developed by the parties. (See Doc. 1745.) In accordance

<sup>&</sup>lt;sup>1</sup> While the original proposed protocols provided for inspection on December 19 or 20, 2023, the Court ordered the parties to confer in good faith to select a date (or dates) that would work for both sides. (*See* Doc. 1745.)

with these directives, the parties crafted a Confidentiality Agreement that: incorporates the prior approved protocols (outlined in Attachment A); adds logistical details and final conditions for the inspection; and includes an Agreement to be Bound, to be signed by each reviewer and receiving party. The Agreement to Be Bound states that the signing individual agrees to be bound by the ongoing Protective Order in this case; that the signing individual submits to the jurisdiction of the Court in all matters related to the Confidentiality Agreement; that the terms of the Confidentiality Agreement are fully enforceable by the Court; and that violation of the Confidentiality Agreement may result in penalties for contempt of court. The Confidentiality Agreement (including the originally approved protocols, the final agreed-upon conditions of the inspection, and the Agreement to be Bound) is attached as Attachment B. In addition, each of the three reviewers has executed an Agreement to be Bound. These executed agreements are attached as Attachment C.

The Court hereby **ORDERS** that the parties **SHALL** comply with the inspection protocols outlined in Attachments A and B and with all terms of the Confidentiality Agreement outlined in Attachment B. Any violation of the terms of the Confidentiality Agreement may result in penalties for contempt of Court.

Further, the parties agree that, to ensure full transparency in this process, this Order should be filed on the public docket, as should the Court's Orders of December 13, 2023 (Doc. 1735) and December 15, 2023 (Doc. 1745). Accordingly, the Clerk is **DIRECTED** to lift the seal on docket entries 1735 and 1745.

IT IS SO ORDERED this 3rd day of January, 2024.

Honorable Amy Totenberg United States District Judge